

**CONFIDENTIAL**

24 September 1954

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting at the Civil Service Commission on the Amended Whitten Rider

1. On Tuesday, 21 September 1954, the undersigned attended a meeting in Mr. Stahl's conference room at the Civil Service Commission, the subject of which was the implementation of the modified Whitten Amendment, with particular reference to the excepted service. The meeting was chaired by Mr. Dale Rogers of the Civil Service Commission staff and was attended by fourteen persons representing various Federal agencies having excepted positions.

2. The point the Civil Service Commission was chiefly interested in was the best method for allocating the additional permanent positions authorized by the last Congress. Legislation passed by the last Session provided that there may be an increase of ten percent in the number of permanent positions over and above the number of such positions existing in September 1950 (the date of the original Whitten Amendment). The Civil Service Commission was interested in hearing the views of the various agencies on how the ten percent should be allocated as far as excepted positions are concerned. The two basic alternatives discussed were to let each agency administer its own ten percent or to administer the increase on a Government-wide basis. Although no decision was reached, the consensus seemed to be that individual agencies should be permitted great latitude in administering their own ten percent increase. According to Mr. Rogers, the chairman, the Civil Service Commission had no position on this point as of the time of the meeting. The policy will eventually be reflected in an Executive Order and a Civil Service Regulation, which are currently being drafted.

3. With reference to the above, a representative of the Civil Service Commission specifically asked the undersigned how CIA would prefer to administer its ten percent increase in permanent positions under the amended Whitten provision. In order to dodge the issue, I simply replied that it would be impossible for CIA to participate in any such arrangement controlled by the Civil Service Commission or any outside agency, since we are not permitted to reveal personnel statistics. (In view of the impression held by many people outside

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the Agency that the former Whitten Amendment applied to all Federal agencies, and the possibility that sooner or later information concerning Agency practice may reach the Civil Service Commission, I discussed this matter with the Chief, PAS upon my return from the meeting, and suggested to him that we ask the General Counsel for an opinion as to whether the modified Whitten Amendment is or is not applicable.)

4. Another point which came in for a certain amount of discussion was whether or not persons assigned to excepted positions should be permitted to acquire competitive status. A variety of views were expressed on this point, but once again no conclusion was reached by the group.

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Chief, Placement and  
Utilization Division